



मामला क्रमांक M.A.C. NO. 1038 सन् 2007

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	MISC. APPEAL (CLAIM) NO.1038/2007	
	<u>APPELLANTS</u>	Suresh Khadiya, s/o Gajan Khadiya, aged about 30 years, Occupation Labourer, r/o village Lakha, Tehsil & Distt. Raigarh (C.G).
		<i>Versus</i>
	<u>RESPONDENTS</u>	1. Suresh Kumar, s/o Udal Ram Yadav, aged about 24 years, Occupation Driver, r/o village Rudukela, P.S. Tamnar, Tehsil Gharghoda, Distt. Raigarh (C.G). 2. Kailash Savariya, s/o Nattulal, aged about 32 years, Occupation Owner, R/o Prachi Minerals Jorahapali, Tehsil & Distt. Raigarh (C.G), National Insurance Co.Ltd., through Branch Manager, B-1 Taha complex, Ring Road 1, Priyadarshini Nagar, Bilaspur (C.G)
	D.B: HON'BLE SHRI L.C. BHADOO, J, & HON'BLE SHRI SUNIL KUMAR SINHA, J.	
	<u>ORAL ORDER</u> (18.09.2007)	
	<u>L.C.Bhadoo, J,</u>	
	Shri Vineet Kumar Pandey, counsel for the appellant. Heard on admission. The claimant has preferred this appeal being aggrieved by the award dated 11.5.2007 passed by 4 th Addl. Motor Accident Claims	

मामला क्रमांक M.A.C. No. 1038/ सन् 2007

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	Tribunal (F.T.C), Raigarh, whereby the tribunal has assed the loss of dependency to the tune of Rs.1,80,000/-, Rs.2000/- has been awarded for funeral expenses and Rs.10,000/- has been awarded for loss of consortium and in all Rs.1,92,000/- has been awarded alongwith interest @ 7½% per annum, from the date of filing of the claim petition till the date of recovery. Having heard counsel for the appellant, we have perused the impugned award. The deceased Jamuna Devi, wife of the claimant, was working as a labourer alongwith the claimant. The learned tribunal in para 13 has assessed the income of the deceased as Rs.15,000/- based on the notional income and after deducting 1/3 personal expenses, Rs.10,000/- per year has been assessed as loss of dependency and by adopting the multiplier of 18, Rs.1,80,000/- has been assessed as loss of income. In addition to this, Rs.2000/- has been awarded under the head of funeral expenses and Rs.10,000/- under the head of loss of consortium. Having perused the impugned award and also considering the nature of work which the deceased was doing, we are of the considered opinion that the compensation awarded by the Tribunal is just and reasonable and in no way it can be said to be on lower side. Therefore, this appeal is without merits, the same is liable to be dismissed and it is hereby dismissed at the motion stage itself.	Sd/- L.C. Bhadoo Judge Sd/- Sunil Kumar Sinha Judge